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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,111	12/08/2000	Yoshihito Ishibashi	450108-02586	4571

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EXAMINER	
HOFFMAN, BRANDON S	

ART UNIT	PAPER NUMBER
2171	6

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/719,111	ISHIBASHI, YOSHIHITO	
	Examiner	Art Unit	
	Brandon Hoffman	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-8 is/are rejected.

7)☒ Claim(s) 2 and 6 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 08 December 2000 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because figure 15B, "EQUAL OR SAMLLER" should be –EQUAL OR SMALLER–. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The abstract of the disclosure is objected to because:

- It consists of two paragraphs. The abstract should only be one narrative paragraph.
- On the last line, "returned from the source" should be –returned to the source–.

Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

- On page 31, last line, ">= (equal or smaller)" should be –>= (equal or larger) – or –<= (equal or smaller) –.
- On page 32, line 10, "> (smaller)" should be –> (larger) – or –< (smaller) –.
- On page 75, line 1, "(6-4)" should be –(6-5) –.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
(e) BACKGROUND OF THE INVENTION.
    (1) Field of the Invention.
    (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.
(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

With regards to the arrangement of the specification, applicant should add 'TITLE OF THE INVENTION' to the beginning of the specification. The other headings are considered correct.

Claims 2 and 6 are objected to because of the following informalities: on line 16 and 7, respectively, "has" should be –hash–.

Appropriate correction is required.

Claim Rejections - 35 USC § 112 – 2nd Paragraph

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: there are no interconnections between the parts of the information processing apparatus/method.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 3, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al. (U.S. Patent No. 6,289,314) in view of Christiano (U.S. Patent No. 5,671,412).

Regarding claims 1, 3, and 4, Matsuzaki et al. teaches an information processing apparatus/method which is connected to other information processing apparatuses and which decrypts and uses encrypted value information (fig. 2), characterized by comprising:

- Storage means for storing usage information including the key needed to decrypt said value information, usage conditions of said value information, and transfer status information which indicates whether said value information has been transferred (fig. 3, ref. num 252); and
- Supply means for supplying said value information together with appropriate transfer information including said key contained in said usage information to said other information processing apparatuses when said usage conditions contained in said usage information stored by said storage means are right and said transfer status information contained in said usage information indicates that said value information is not transferred (fig. 2, ref. num 24 connected to 32).

Matsuzaki et al. does not teach:

- First change means for changing said transfer status information to indicate that said value information has been transferred if said value

information and said transfer information has been supplied to said other information processing apparatuses by said supply means;

- Sending means for sending an appropriate control signal to said other information processing apparatuses if said transfer status information contained in said usage information stored by said storage means indicates that said value information has been transferred and the transfer of said value information to said other information processing apparatuses is cancelled; and
- Second change means for changing said transfer status information to indicate that said value information is not transferred when a reply signal is received from said other information processing apparatuses in response to said control signal sent by said sending means.

Christiano teaches:

- First change means for changing said transfer status information to indicate that said value information has been transferred if said value information and said transfer information has been supplied to said other information processing apparatuses by said supply means (fig. 10, ref. num 200 and col. 21, lines 53-61);
- Sending means for sending an appropriate control signal to said other information processing apparatuses if said transfer status information contained in said usage information stored by said storage means indicates that said value information has been transferred and the transfer

of said value information to said other information processing apparatuses is cancelled (fig. 10, ref. num 198 and col. 21, lines 49-53); and

- Second change means for changing said transfer status information to indicate that said value information is not transferred when a reply signal is received from said other information processing apparatuses in response to said control signal sent by said sending means (fig. 10, ref. num 204 and col. 21, lines 61-67).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine first change means, sending means, and second change means, as taught by Christiano, to the method/apparatus of Matsuzaki et al. It would have been obvious to combine first change means, sending means, and second change means, as taught by Christiano, to the method/apparatus of Matsuzaki et al. because the first change means, sending means, and second change means correctly controls the distribution of software to a certain number of computers (1 or more) and only allows that number of computers to use the software until one of those computer systems release its use of the software so another computer may access the software (see col. 7, lines 1-12 of Christiano).

Regarding claim 4, specifically, Matsuzaki et al./Christiano teaches a providing medium that provides a computer-readable program for executing a

process to an information processing apparatus (see col. 25, lines 28-48 of Matsuzaki et al.).

Claims 5, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al. (U.S. Patent No. 6,289,314) in view of Shimakawa et al. (U.S. Patent No. 6,502,124).

Regarding claims 5, 7, and 8, Matsuzaki et al. teaches an information processing apparatus/method which is connected to other information processing apparatuses and which decrypts and uses encrypted value information (figure 2), characterized by comprising:

- Reception means for receiving said value information supplied from said other information processing apparatuses and transfer information containing the key needed to decrypt said value information (fig. 2, ref. num 24); and
- Storage means for storing said transfer information received by said reception means (fig. 3, ref. num 252).

Matsuzaki et al. does not teach:

- Deletion means for deleting said transfer information stored in said storage means when an appropriate control signal is received from said other information processing apparatuses; and

- Sending means for sending an appropriate reply signal when said transfer information is deleted by said deletion means.

Shimakawa et al. teaches:

- Deletion means for deleting said transfer information stored in said storage means when an appropriate control signal is received from said other information processing apparatuses (col. 14, lines 25-27); and
- Sending means for sending an appropriate reply signal when said transfer information is deleted by said deletion means (col. 14, lines 28-30).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine deletion means and sending means, as taught by Shimakawa et al., to the method/apparatus of Matsuzaki et al. It would have been obvious to combine deletion means and sending means, as taught by Shimakawa et al., to the method/apparatus of Matsuzaki et al. because the deletion means and sending means informs the information processing apparatus that the license has been released and a different information processing apparatus can then use the license.

Regarding claim 8, specifically, Matsuzaki et al./Shimakawa et al. teaches a providing medium that provides a computer-readable program for executing a process to an information processing apparatus (see col. 25, lines 28-48 of Matsuzaki et al.).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al (U.S. Patent No. 6,289,314) and Christiano (U.S. Patent No. 5,671,412), further in view of Brachtl et al. (U.S. Patent No. 4,908,861).

Regarding claim 2, the combination of Matsuzaki et al./Christiano teaches:

- Said information processing apparatus further comprises:
    - Control means for controlling the supply from said supply means, based on the determination made by said determination means (see fig. 2, ref. num 2 of Matsuzaki et al.).

The combination of Matsuzaki et al./Christiano does not teach:

- Said storage means is configured by a plurality of blocks divided into memory areas which store said usage information;
- Said information processing apparatus further comprises
    - Computation means for computing a hash value by applying a hash function to all the multiple pieces of said usage information stored in said blocks composing said storage means,
    - Hash value storage means for storing hash values, and
    - Determination means for determining whether said storage means has been falsified based on the results of comparison between said hash value computed by said computation means and an appropriate hash value stored in said hash value storage means.

Brachtl et al. teaches:

- Said storage means is configured by a plurality of blocks divided into memory areas which store said usage information (fig. 9, ref. num 20);
- Said information processing apparatus further comprises
    - Computation means for computing a hash value by applying a hash function to all the multiple pieces of said usage information stored in said blocks composing said storage means (fig. 9),
    - Hash value storage means for storing hash values (fig. 9, ref. num 52), and
    - Determination means for determining whether said storage means has been falsified based on the results of comparison between said hash value computed by said computation means and an appropriate hash value stored in said hash value storage means (fig. 1, decision block to determine if the received message is equal to the reference message).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine computation, hash value storage, and determination means, as taught by Brachtl et al., to the method/apparatus of Matsuzaki et al./Christiano. It would have been obvious to combine computation, hash value storage, and determination means, as taught by Brachtl et al., to the method/apparatus of Matsuzaki et al./Christiano because the means disclosed by

Brachtl et al. perform the steps to assemble a message digest, which is used to verify that the message sent is not tampered with by a third party.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al (U.S. Patent No. 6,289,314) and Shimakawa et al. (U.S. Patent No. 6,502,124), further in view of Brachtl et al. (U.S. Patent No. 4,908,861).

Regarding claim 6, the combination of Matsuzaki et al./Shimakawa et al. teaches:

- Said information processing apparatus further comprises:
    - Control means for controlling the supply from said supply means, based on the determination made by said determination means (see fig. 2, ref. num 2 of Matsuzaki et al.).

The combination of Matsuzaki et al./Shimakawa et al. does not teach:

- Said storage means is configured by a plurality of blocks divided into memory areas which store said usage information;
- Said information processing apparatus further comprises
    - Computation means for computing a hash value by applying a hash function to all the multiple pieces of said usage information stored in said blocks composing said storage means,
    - Hash value storage means for storing hash values, and

- Determination means for determining whether said storage means has been falsified based on the results of comparison between said hash value computed by said computation means and an appropriate hash value stored in said hash value storage means.

Brachtl et al. teaches:

- Said storage means is configured by a plurality of blocks divided into memory areas which store said usage information (fig. 9, ref. num 20);
- Said information processing apparatus further comprises
  - Computation means for computing a hash value by applying a hash function to all the multiple pieces of said usage information stored in said blocks composing said storage means (fig. 9),
  - Hash value storage means for storing hash values (fig. 9, ref. num 52), and
  - Determination means for determining whether said storage means has been falsified based on the results of comparison between said hash value computed by said computation means and an appropriate hash value stored in said hash value storage means (fig. 1, decision block to determine if the received message is equal to the reference message).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine computation, hash value storage, and

determination means, as taught by Brachtl et al., to the method/apparatus of Matsuzaki et al./Shimakawa et al. It would have been obvious to combine computation, hash value storage, and determination means, as taught by Brachtl et al., to the method/apparatus of Matsuzaki et al./Shimakawa et al. because the means disclosed by Brachtl et al. perform the steps to assemble a message digest, which is used to verify that the message sent is not tampered with by a third party.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 703-305-4662. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Brandon Hoffman

BH
12/1/03

SAFET METJAHIC
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